

NATIVE AMERICAN HERITAGE COMMISSION

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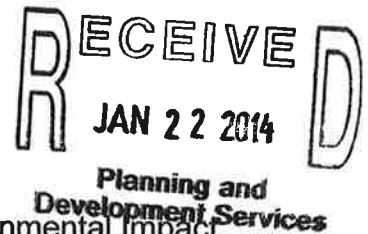


January 16, 2014

Mr. Robert Hingtgen, Environmental Planner

**County of San Diego planning &
Development Services Department**

5510 Overland Avenue, Suite 310, MS O-850
San Diego, CA 92123



RE: SCH#2012121018 CEQA Notice of Completion; draft Environmental Impact
Report (DEIR) for the **"Soitec Solar Development Program**

Environmental Impact Report Project;" located in the Boulevard-Tierra
Del Sol; Mountain Empire Region; eastern San Diego County, California

Dear Mr. Hingtgen:

The Native American Heritage Commission (NAHC) has reviewed the
above-referenced environmental document.

The California Environmental Quality Act (CEQA) states that any project
which includes archeological resources, is a significant effect requiring the
preparation of an EIR (CEQA guidelines 15064.5(b). This area is known to local
tribes and to the NAHC as very culturally sensitive. There are a number of
recorded sacred sites near the project site(s). To adequately comply with this
provision and mitigate project-related impacts on archaeological resources, the
Commission recommends the following actions be required:

Lead agencies should include in their mitigation plan provisions for the
identification and evaluation of accidentally discovered archeological resources,
pursuant to California Environmental Quality Act (CEQA) §15064.5(f). In areas
of identified archaeological sensitivity, a certified archaeologist and a culturally
affiliated Native American, with knowledge in cultural resources, should monitor
all ground-disturbing activities. Also, California Public Resources Code Section
21083.2 require documentation and analysis of archaeological items that meet
the standard in Section 15064.5 (a)(b)(f).

We suggest that this (additional archaeological activity) be coordinated
with the NAHC, if possible. The final report containing site forms, site
significance, and mitigation measures should be submitted immediately to the
planning department. Any information regarding site locations, Native American
human remains, and associated funerary objects should be in a separate

confidential addendum, and not be made available for public disclosure pursuant to California Government Code Section 6254.10.

A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter to determine if the proposed active might impinge on any cultural resources.

California Government Code Section 65040.12(e) defines "environmental justice" to provide "fair treatment of People... with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies." (The California Code is consistent with the Federal Executive Order 12898 regarding 'environmental justice.' Also, applicable to state agencies is Executive Order B-10-11 requires consultation with Native American tribes their elected officials and other representatives of tribal governments to provide meaningful input into the development of legislation, regulations, rules, and policies on matters that may affect tribal communities.

Lead agencies should consider first, avoidance for sacred and/or historical sites, pursuant to CEQA Guidelines 15370(a). Then if the project goes ahead then, lead agencies include in their mitigation and monitoring plan provisions for the analysis and disposition of recovered artifacts, pursuant to California Public Resources Code Section 21083.2 in consultation with culturally affiliated Native Americans.

Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,



Dave Singleton
Program Analyst

CC: State Clearinghouse

Attachment: Native American Contacts list

**Native American Contacts
San Diego County California
January 16, 2014**

Barona Group of the Capitan Grande
Clifford LaChappa, Chairperson
1095 Barona Road Diegueno
Lakeside , CA 92040
sue@barona-nsn.gov
(619) 443-6612
619-443-0681

Sycuan Band of the Kumeyaay Nation
Daniel Tucker, Chairperson
5459 Sycuan Road Diegueno/Kumeyaay
El Cajon , CA 92019
ssilva@sycuan-nsn.gov
619 445-2613
619 445-1927 Fax

La Posta Band of Mission Indians
Gwendolyn Parada, Chairperson
PO Box 1120 Diegueno/Kumeyaay
Boulevard , CA 91905
gparada@lapostacasino.
(619) 478-2113
619-478-2125

Viejas Band of Kumeyaay Indians
Anthony R. Pico, Chairperson
PO Box 908 Diegueno/Kumeyaay
Alpine , CA 91903
jhagen@viejas-nsn.gov
(619) 445-3810
(619) 445-5337 Fax

Manzanita Band of Kumeyaay Nation
Leroy J. Elliott, Chairperson
PO Box 1302 Diegueno/Kumeyaay
Boulevard , CA 91905
ljbirdsinger@aol.com
(619) 766-4930
(619) 766-4957 Fax

Kumeyaay Cultural Historic Committee
Ron Christman
56 Viejas Grade Road Diegueno/Kumeyaay
Alpine , CA 92001
(619) 445-0385

San Pasqual Band of Mission Indians
Allen E. Lawson, Chairperson
PO Box 365 Diegueno
Valley Center, CA 92082
allenl@sanpasqualband.com
(760) 749-3200
(760) 749-3876 Fax

Campo Band of Mission Indians
Ralph Goff, Chairperson
36190 Church Road, Suite 1 Diegueno/Kumeyaay
Campo , CA 91906
chairgoff@aol.com
(619) 478-9046
(619) 478-5818 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SSCH#2012121018; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Soltec Solar Development Program Environmental Impact Report Project; located in the Boulevard-Tierra Del Sol area of eastern San Diego County, California.

**Native American Contacts
San Diego County California
January 16, 2014**

Jamul Indian Village
Raymond Hunter, Chairperson
P.O. Box 612 Diegueno/Kumeyaay
Jamul , CA 91935
jamulrez@sctdv.net
(619) 669-4785
(619) 669-48178 - Fax

Viejas Band of Kumeyaay Indians
ATTN: Julie Hagen, cultural Resources
P.O. Box 908 Diegueno/Kumeyaay
Alpine , CA 91903
jhagen@viejas-nsn.gov
(619) 445-3810
(619) 445-5337

Mesa Grande Band of Mission Indians
Mark Romero, Chairperson
P.O. Box 270 Diegueno
Santa Ysabel, CA 92070
mesagrandeband@msn.com
(760) 782-3818
(760) 782-9092 Fax

Ewiiapaay Tribal Office
Will Micklin, Executive Director
4054 Willows Road Diegueno/Kumeyaay
Alpine , CA 91901
wmicklin@leaningrock.net
(619) 445-6315 - voice
(619) 445-9126 - fax

Kwaaymii Laguna Band of Mission Indians
Carmen Lucas
P.O. Box 775 Diegueno -
Pine Valley , CA 91962
(619) 709-4207

Ipay Nation of Santa Ysabel
Clint Linton, Director of Cultural Resources
P.O. Box 507 Diegueno/Kumeyaay
Santa Ysabel, CA 92070
cjlinton73@aol.com
(760) 803-5694
cjlinton73@aol.com

Inaja Band of Mission Indians
Rebecca Osuna, Chairman
2005 S. Escondido Blvd. Diegueno
Escondido , CA 92025
(760) 737-7628
(760) 747-8568 Fax

Kumeyaay Diegueno Land Conservancy
Mr. Kim Bactad, Executive Director
2 Kwaaypaay Court Diegueno/Kumeyaay
El Cajon , CA 91919
(619) 445-0238 - FAX
(619) 659-1008 - Office
kimbactad@gmail.com

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**Native American Contacts
San Diego County California
January 16, 2014**

Inter-Tribal Cultural Resource Protection Council
Frank Brown, Coordinator; Viejas THPO
240 Brown Road Diegueno/Kumeyaay
Alpine, CA 91901
frbrown@viejas-nsn.gov
(619) 884-6437

Kumeyaay Cultural Repatriation Committee
Bernice Paipa, Vice Spokesperson
1095 Barona Road Diegueno/Kumeyaay
Lakeside, CA 92040
(619) 478-2113
(KCRC is a Coalituton of 12
Kumeyaay Governments)
bp@lapostatribes.com

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